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3
4 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
5 **OF THE STATE OF WASHINGTON**
6

7 IN RE COMPLIANCE) PDC CASE NO: #04-309
8 WITH RCW 42.17)
9 Washington State Farm Bureau) **FINAL ORDER IMPOSING FINE**
10 _____ Respondent.)

11 **INTRODUCTION**
12

13 The Washington State Public Disclosure Commission (Commission) conducted an
14 enforcement hearing (adjudicative proceeding) under chapters 34.05 and 42.17 RCW and
15 chapter 390-37 WAC on May 26, 2004 with respect to the above-captioned matter. The
16 Commission convened the hearing at the Evergreen Plaza Building, Room 206, 711 Capitol
17 Way South, in Olympia, Washington. The Staff appeared through Philip E. Stutzman,
18 Director of Compliance. Pat Batts, Administrative Vice-President of the Washington State
19 Farm Bureau, and John White, an attorney representing the Washington State Farm Bureau
20 in this matter, appeared on behalf of the Respondent.
21

22 The Commission was provided a copy of the Report of Investigation dated May 10,
23 2004, the Notice of Administrative Charges dated May 12, 2004, and a Stipulation of Facts
24 and Violations of the parties dated May 26, 2004. The Stipulation of Facts and Violations
25 are attached, and incorporated by reference into this Order.
26

1 After due consideration of the Notice of Administrative Charges, the Stipulation of
2 Facts and Violation, and oral argument by Staff and the Respondent, the Commission
3 accepted the Stipulation. The Commission therefore makes the following findings and
4 enters the following order.

5 **FINDINGS**

6
7 Based upon the stipulated facts and violation in the Stipulation, the Commission
8 enters the following findings.

9 1. The Commission finds that the Respondent committed a single violation of
10 RCW 42.17.180 by failing to timely report a \$50,000 monetary contribution it made to
11 Workers Against Job Killing Rules, on September 24, 2003.

12 **ORDER**

13 The Commission orders as follows:

- 14 1. That the Stipulation of Facts and Violation is accepted;
- 15 2. That a total civil penalty of \$1,000 is assessed against the Respondent.
- 16 3. That \$500 of the penalty is suspended on the condition that the Respondent commits no
17 further violations of RCW 42.17 for a period of two years from the date of this order as
18 determined by the Full Commission.

19 **RECONSIDERATION OF FINAL ORDER - COMMISSION**

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21 Any party may ask the Commission to reconsider this final order. Parties must
22 place their requests for reconsideration in writing, include the specific grounds or reasons
23 for the request, and deliver the request to the Public Disclosure Commission Office within
24 **Twenty-One (21) business days** of the date that the Commission serves this order upon the
25 party. Grounds for reconsideration shall be limited to:
26

- 1 a) A request for review was deemed denied in accordance with WAC 390-37-144(4);
- 2 b) New facts or legal authorities that could not have been brought to the commission's
- 3 attention with reasonable diligence. If errors of fact are alleged, the requester must
- 4 identify the specific evidence in the prior proceeding on which the requester is
- 5 relying. If errors of law are alleged, the requester must identify the specific citation;
- 6 or
- 7
- 8 c) Significant typographical or ministerial errors in the order.

9 Pursuant to RCW 34.05.470, the Public Disclosure Commission is deemed to have

10 denied the petition for reconsideration if, within twenty (20) business days from the date

11 the petition is filed, the Commission does not either dispose of the petition or serve the

12 parties with written notice specifying the date by which it will act on the petition.

13 Pursuant to RCW 34.05.470, the Respondent is not required to ask the Public

14 Disclosure Commission to reconsider the final order before seeking judicial review by a

15 superior court.

16

17 **FURTHER APPEAL RIGHTS – SUPERIOR COURT**

18 Pursuant to RCW 42.17.395(5), a **final order** issued by the Public Disclosure

19 Commission is subject to judicial review under the Administrative Procedures Act, chapter

20 34.05 RCW. The procedures are provided in RCW 34.05.510 - .598. Pursuant to RCW

21 34.05.542(2), a petition for judicial review must be filed with the superior court in Thurston

22 County or the petitioner's county of residence or principal place of business. The petition

23 for judicial review must be served on the Public Disclosure Commission and any other

24 parties within **30 days** of the date that the Public Disclosure Commission serves this final

25 order on the parties.

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1 If reconsideration is properly sought, the petition for judicial review must be served
2 on the Public Disclosure Commission and any other parties within thirty (30) days after the
3 Commission acts on the petition for reconsideration.

4 **ENFORCEMENT OF FINAL ORDERS**

5 The Commission will seek to enforce this final order in superior court under RCW
6 42.17.395-.397, and recover legal costs and attorney's fees, if the penalty remains unpaid
7 and no petition for judicial review has been filed under chapter 34.05 RCW. This action
8 will be taken without further order by the Commission.
9

10
11 DATED THIS 10th day of June, 2004.

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13 FOR THE COMMISSION:

14 /s/

15 _____
16 VICKI RIPPIE, Executive Director

17 *Attachment:* Stipulation of Facts and Violation Dated May 26, 2004

18
19 *MAILING DATE OF THIS ORDER:*
20 6/10/04
21 _____